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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

THEODORE J. PHILLIPS

La. DOC #216784

VS.

CIVIL ACTION NO. 6:10-cv-1300

SECTION P

JUDGE HAIK

BURL N. CAIN, WARDEN


MAGISTRATE JUDGE HANNA

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

**IT IS ORDERED** that this petition for *habeas corpus* be **DENIED AND DISMISSED WITH PREJUDICE** because petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. §2244(d).

**THUS DONE AND SIGNED**, in chambers, in Lafayette, Louisiana, on this 12 day of May, 2011. TH

  
RICHARD T. HAIK, SR.  
UNITED STATES DISTRICT JUDGE